

Af/363764

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO  
THE BOARD OF PATENT APPEALS AND INTERFERENCES (Small Entity)**

Docket No.  
984

In Re Application Of: **Anthony Nocella III**

JUL 22 2004

Serial No.  
10/058,643

Filing Date  
01/28/2002

Examiner  
Winnie S. Yip

Group Art Unit  
3850

Invention: **Umbrella With Lighted Shaft**

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AUG 11 2004

**GROUP 3600**

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner dated **04/22/2004** finally rejecting Claim(s) **1-6**

Applicant is a small entity under 37 CFR 1.9 and 1.27.

A verified statement of small entity status under 37 CFR 1.27:

- ☐ is enclosed.
- ☒ has already been filed in this application.

The fee for this Notice of Appeal is: **\$165.00**

- ☒ A check in the amount of the fee is enclosed.
- ☐ The Commissioner has already been authorized to charge fees in this application to a Deposit Account. A duplicate copy of this sheet is
- ☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. **07-2380**
- ☒ A duplicate copy of this sheet is enclosed.

BOARD OF PATENT APPEALS  
AND INTERFERENCES

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Signature

**John D. Gugliotta, Esq.**  
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330-253-5678  
330-253-6658 (facsimile)

Dated: **July 19, 2004**

I certify that this document and fee is being deposited  
on **July 19, 2004** with the U.S. Postal Service as  
first class mail under 37 C.F.R. 1.8 and is addressed to the  
Assistant Commissioner for Patents, Washington, D.C.  
20231.

Signature of Person Mailing Correspondence

**Terry Lakos**

Typed or Printed Name of Person Mailing Correspondence

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cc: